

FLOOD CONTROL



**US Army Corps
of Engineers** ®
San Francisco District

Project Map

UPPER PENITENCIA CREEK CITY OF SAN JOSE, CALIFORNIA

CONGRESSIONAL DISTRICT: 16th District, Rep. Zoe Lofgren

STUDY DESCRIPTION: The Upper Penitencia Creek study area is located in the City of Milpitas, in the northwest portion of Santa Clara County, California. The Natural Resources Conservation Service (NRCS), formerly the Soil Conservation Service (SCS), which developed plans for flood damage reduction along 3.6 miles of Upper Penitencia Creek, completed a report entitled "*Upper Penitencia Creek Watershed Project*" in August 1990. Because the amount of agricultural benefits identified in the analysis was insufficient to permit continued NRCS participation, Santa Clara Valley Water District (SCVWD), the local sponsor, requested the Corps of Engineers continue the effort.

FISCAL YEAR 03 BUDGET: \$559,000

POSSIBLE SOLUTIONS: Alternatives under consideration include a combination of flood proofing at the upstream limit, levees, floodwalls, and a bypass channel at the downstream limit of the project.

PRESENT STATUS: A Feasibility Cost Sharing Agreement was signed in February 1998, and the study was initiated in April 1998. At the Sponsor's request, the first phase of the Feasibility Study was used to establish a legal position on the acceptability of the Sponsor's Floodway Ordinance and to determine the actual land values of real estate needed for the project. The Phase 1 Real Estate report was forwarded to Corps Headquarters in September 98 and concurrence of the real estate evaluation was given at an Issue Resolution Conference in July 99. A Public Meeting was held on 1 December 1999. Sponsor's application for a Section 104 credit (bypass channel), estimated at \$19,975,000, was sent to Assistant Secretary of the Army for Civil Works on 30 October 2000 and approved on 1 December 2000.

FUTURE EFFORTS: Continue the Feasibility Study. Feasibility completion has been delayed from September 2002 to September 2003 due to delays in completion of the without project conditions (hydrology and economics) for the F3 Milestone Conference. The F3 Conference is currently scheduled in April 2002.